



## Bulgaria

### Country Reports on Human Rights Practices - [2002](#)

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Bulgaria is a parliamentary republic ruled by a democratically elected government. A coalition government headed by former King Simeon Saxe-Coburg took office in 2001 following the victory of his National Movement Simeon II (NMS) party in parliamentary elections that observers agreed were generally free and fair despite some media irregularities. The governing coalition consisted of the NMS and the mainly ethnic Turkish Movement for Rights and Freedoms (MRF). A predominantly ethnic Roma political formation, the EuroRoma party, was an electoral partner of the MRF and thus was technically a member of the governing coalition, although it had no representatives in the Cabinet or the National Assembly. In January, following presidential elections, Georgi Parvanov of the Bulgarian Socialist Party (BSP) began his 6-year term. The Constitution provides for an independent judiciary; however, the judiciary suffered from corruption and continued to struggle with structural and staffing problems.

Internal security services were the responsibility of the Ministry of the Interior (MOI) and included the National Police, the National Service for Combating Organized Crime, the National Security Service (civilian domestic intelligence), the National Gendarmerie Service (paramilitary police), and the Border Police. Although Government control over the police improved, it still was not sufficient to ensure full accountability. The Special Investigative Service (SIS), which provided investigative support to prosecutors on serious criminal cases, was a judicial branch agency and therefore was not under direct executive branch control. The media reported that the public order services, such as the National Intelligence Service (NIS) and National Bodyguard Service (NBS), were not subject to adequate judicial, executive, or legislative oversight of their activities or budgets. Some members of the police committed serious human rights abuses.

The country, with a population of approximately 7.9 million, was in transition from an economy dominated by loss-making state enterprises concentrated in heavy industry, to one dominated by the private sector. Approximately 80 percent of state assets destined for privatization already have been sold. Principal exports were agricultural products, tobacco products, chemicals and metals, although light industry—including textiles and apparel—was growing in importance. During the year, gross domestic product (GDP) growth was 4.4 percent, and the inflation rate was 3.8 percent. The private sector accounted for approximately 61.3 percent of GDP. Persistent high unemployment was a problem.

The Government generally respected the human rights of its citizens; however, there were problems in several areas. Members of the security forces were responsible for one killing during the year. Security forces commonly beat suspects and inmates and beat and mistreated minorities. Arbitrary arrest and detention were problems. Security forces harassed, physically abused, and arbitrarily arrested and detained Romani street children. Problems of accountability persisted and inhibited government attempts to address police abuses. Conditions in many prisons and detention facilities were harsh. There remained some instances of prolonged pretrial detention, although the Government continued to improve its performance in preventing periods of pretrial detention from exceeding the statutory limit of 1 year. The judiciary was underpaid, understaffed, and had a heavy case backlog; corruption of the judiciary was a serious problem. The Government infringed on citizens' privacy rights. The Government restricted freedom of the press and limited freedom of association. The Government restricted freedom of religion for some non-Orthodox religious groups. Societal discrimination and harassment of nontraditional religious minorities persisted, but were less frequent than in the previous year. Constitutional restrictions on political parties formed along ethnic, racial, or religious lines effectively limited participation in government for some groups. Violence and discrimination against women remained serious problems. Conditions for children in state institutions were poor, and because of a lack of funds, the social service system did not assist homeless and other vulnerable children adequately, notably Roma and children with mental disabilities. There was some discrimination against persons with disabilities. Discrimination and societal violence against Roma were serious problems. Child labor was a problem. Trafficking in women and girls was a serious problem, although the

Government took steps to address it. Bulgaria was invited by the Community of Democracies' (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

## RESPECT FOR HUMAN RIGHTS

### Section 1. Respect for the Integrity of the Person, Including Freedom From:

#### a. Arbitrary or Unlawful Deprivation of Life

There were no reports of political killings. However, there were three reported killings by security services, compared with eight such killings in 2001.

On February 17, 26-year-old Seval Sabakhtin Rasim died while in custody of the border police near Sladun, Svilengrad municipality. He was apprehended, together with 25 other persons of Afghan and Iranian origin while attempting to enter the country illegally from Turkey. While police transported Rasim to the detention facility in the village of Sladun, he reportedly tried to escape from the border police patrol and was chased and recaptured. Police reportedly beat Rasim severely; he later died from his wounds. Following the military prosecutor's investigation, several police officers were charged in the killing. One border police officer was reprimanded, while two sergeants were reassigned. In the other two cases, involving the deaths of Jordan Asenov Yankov and Radka Koleva Markov, authorities found insufficient grounds for prosecution, according to the Military Prosecutor's office.

The Ministry of Interior Act permits law enforcement officials to use firearms to apprehend persons committing crimes or who have committed crimes, even if the crimes were minor. Law enforcement officers also may use firearms to stop the escape of a person who has been arrested for any crime.

In March a three-member panel of the Sofia Military Court acquitted two police officers who had been accused of inflicting injuries on Milotin Mironov, also known as Mehmet Myumyun, who died in police custody in 2001. Reportedly, two reliable witnesses could not be located by the Ministry of Interior despite a nationwide search. This resulted in the court's inability to consider potentially relevant evidence. Mironov's relatives stated that they would appeal.

There were no reported developments in the cases of officers charged in the 2001 killings of Sevgin Asan and Dimitur Dimitrov. In April the police officer responsible for the 2001 death of Eleonora Dimitrova was fired.

There were unconfirmed reports that the police chief of Blagoevgrad aided and abetted the July 21 killing of alternative synod Orthodox priest Stefan Kamberov (see Section 2.c.).

Five men remained on trial at year's end for the 1996 killing of former Prime Minister Andrey Lukanov. A hearing for two of the defendants scheduled for July 22 was rescheduled because the defendants had been severely beaten while in custody prior to the hearing. The police claimed that the two had tried to escape and had attacked a police sergeant (see Section 1.c.). The other three defendants remained free on bail at year's end.

#### b. Disappearance

There were no reports of politically motivated disappearances.

#### c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, police commonly beat criminal suspects, particularly members of minorities, at times to extract false testimony. Security force personnel also physically abused street children, the majority of whom were Roma (see Section 5).

According to the MOI, during the first 6 months of the year, 444 written complaints and 66 oral complaints were received by the Police Directorate, of which only 99 named the officer(s) in question. Among these, 29 related to alleged improper use of firearms, 88 concerned illegal actions when issuing permits for activities, 66 involved abuse of position for personal benefit, and 61 were for failure to do one's duty or having a bad attitude. Of these complaints, the MOI determined that 38 were well founded and disciplined 6 officers and 8 noncommissioned officers and sent 9 cases to the Military Prosecutor's office for further action (see Section 1.e.). During the same period in 2001, 72 complaints were judged well founded. The MOI stated that 32 cases of abuse of authority were recorded in 2000 and 40 such cases in 2001. On February 27, the MOI fired one police officer in connection with

the beating of six youths in the town of Kostinbrod. In the 12 months prior to September, 33 MOI officers were dismissed for corruption. During the same period, the Supreme Administrative Court was petitioned regarding 76 dismissals by the Administrative Court, of which 3 were upheld and 73 remained pending at year's end.

According to media reports, the Military Appellate Prosecutor's Office reported that during the year, 49 police or military officers were charged with having caused bodily harm, 18 were charged with taking bribes, and 155 allegedly were involved in robberies or burglaries.

Although some government officials stated that, under the country's criminal code, any complaints about police beatings are required to be heard by judges, at times this law was not respected in practice. Human rights monitors reported that they received many complaints from persons who were too intimidated to lodge an official complaint with the authorities. Human rights observers charged that police often handled minor offenses by arresting suspects, beating them, and releasing them within a 24-hour period, so that no judicial involvement was required (see Section 1.e.)

During the year, the MOI reportedly took steps to improve training, including forming a special group to attract citizens of Roma descent to the MOI, using Romani language in training programs, establishing within the National Police Service a commission to instruct personnel on international standards for law enforcement bodies, and initiating programs to improve MOI relations with the Roma community. Government officials claimed that police officers in the police academy completed human rights awareness training during 2001; however, some observers criticized this training as insufficient. There was no reported training by nongovernmental organizations (NGOs) during the year.

Criminal suspects in police custody run a significant risk of being mistreated, most often during the initial interrogation. In February the Council of Europe reported that the Bulgarian Helsinki Committee (BHC) 2001 survey of incarcerated persons arrested after January 2000 found that 49 percent (compared with 51 percent in 1999) of interviewed prisoners reported that police officers used physical force against them during arrest; 44 percent (compared with 53 percent in 1999) reported one or more beatings at police stations. Roma prisoners reported being abused more frequently than did other prisoners. Very seldom were allegations of police abuse properly investigated nor were the offending officers consistently punished. The Military Prosecutor's office in particular has not investigated incidents of alleged police abuse thoroughly or expeditiously.

A July hearing in the long-running trial of those accused of killing former Prime Minister Andrey Lukanov in 1996 was postponed because two of the defendants were brought into the courtroom severely beaten. The police claimed that the two had tried to escape and had attacked a police sergeant (see Section 1.a.).

In 2001 a police sergeant detained and beat a Romani man, Mitko Naidenov, allegedly because he was suspected in a theft case. According to NGO reports, Naidenov was hospitalized for 12 days for injuries sustained in the beating. Naidenov filed a complaint with the Regional Military Prosecutor's Office in March and, according to an NGO report, the perpetrator was sentenced to make compensation to the victim.

The investigation into the 2001 police shooting of a 30-year-old Rom, Slavi Velez, during an incident in which Velez and a group of Roma allegedly were stealing from a garden, concluded with no results.

A civil lawsuit remained pending against police officers at year's end in the 2000 police killing of Atanas Dzhambazov, a 14-year-old Rom. According to an NGO following the case, the lawsuit had not moved forward because the court demanded that Dzhambazov's family pay a fee, which was not legally required.

In 2000 a 16-year-old Rom, Tsvetalin Perov, suffered third-degree burns after reportedly setting himself on fire using flammable liquid while in detention in the Vidin police station. The prison director and officers received reprimands; after further investigation, criminal investigators decided not to file charges.

Many observers alleged that some members of the police, particularly in remote areas, were complicit in trafficking in persons (see Section 6.f.).

There was widespread perception that authorities did little to punish other corrupt state officials.

There were several incidents of societal violence against and harassment of Roma, including children, during the year (see Section 5).

Conditions in some prisons remained harsh and included severe overcrowding, inadequate lavatory facilities, and insufficient heating and ventilation. The SIS's parallel network of jails and prisons contains many of the harshest detention facilities. NGO prison monitors reported that brutality committed by prison guards against inmates continued to be a problem. The Government reported that it was in the process of renovating facilities in Belene, Plovdiv, Stara Zagora, and Vratsa and had closed down four detention facilities because they did not meet standards. Prison authorities sustained their efforts against tuberculosis, instituting a new procedure for regular testing. The process by which prisoners may complain of substandard conditions or of mistreatment did not function effectively. Labor correction hostels were used to house criminals under age 18 and were less restrictive than prisons. Men and women could be housed in the same jail but were held in separate cells. Pretrial detainees were held separately from convicted criminals.

The Government generally cooperated with requests by independent observers to monitor conditions in most prisons and detention facilities. The BHC stated that its representatives have been allowed access to SIS facilities since 2001. Unlike the procedure in regular prisons, observers still were prohibited from interviewing detainees in the SIS facilities. Human rights monitors enjoyed good access to regular prisons.

#### d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, there were restrictions on this right in some cases. Police often arbitrarily arrested and detained street children, the majority of whom were Roma (see Section 5). There were no reports during the year that police detained members of minority religious groups because of their beliefs (see Section 2.c.).

Police normally obtained a warrant from a prosecutor prior to apprehending an individual; however, warrants were not always required for arrest. If the person was released without being charged before the 24-hour period elapsed, there was no judicial involvement in the case. Human rights observers charged that police often handled minor offenses by arresting suspects, beating them, and releasing them within the 24-hour period (see Section 1.c.). Persons could be detained for no more than 24 hours at the request of an investigating magistrate or a police officer; however, detention could last for up to 72 hours if ordered by a prosecutor.

The Constitution provides for access to legal counsel from the time of detention; however, a 1999 survey of prisoners conducted by the BHC found that 54 percent of prisoners complained that they had no lawyer present during preliminary investigations. In April the BHC released the results of a 2000 survey of 1,001 prisoners. More than 70 percent reported that they had had no legal representation during the preliminary investigation of their cases.

Defendants had the right to visits by family members, to examine evidence, and to know the charges against them. Charges could not be made public without the permission of the Prosecutor General. To enable a speedy trial, the law requires that investigations last no more than 2 months under normal circumstances, although this period could be extended to 6 months by the head regional prosecutor, and to 9 months by the Prosecutor General.

Only judges could determine whether to hold suspects in custody or set bail.

Human rights NGOs reported that the Government generally observed the statutory limit of 1 year for pretrial detention or 2 years in the case of the most serious crimes. While human rights lawyers noted some continuing violations of this law, increasingly these situations became exceptions rather than common practice. There also appeared to be a legal consensus that the pretrial detention limits applied cumulatively to all of the separate periods of detention, for example, in cases where defendants' cases were sent to the courts for review and returned to prosecutors for further investigation. This was a change from earlier practice, when such a situation restarted the clock on the defendant's pretrial detention. However, many cases still formally could be deemed to be in the on-trial phase for an extended period of time. This occurred when a case file had been presented to the court by prosecutors but had not yet been acted upon by the judge. Cases could, not uncommonly, remain in this situation for months, while the defendant remained in custody. The Ministry of Justice reported that in 2001 there were approximately 1,000 accused persons in pretrial detention centers, 1,100 indicted persons in the country's 13 jails and 23 labor correction hostels (see Section 1.c.), and 8,971 convicted prisoners.

The Constitution provides for bail, and some detainees in the past were released under this provision, although bail was not used widely. In the event of a conviction, the time spent in pretrial detention was credited toward the sentence.

Human rights observers reported that in many localities, children could be held for months in educational boarding

schools on the basis of police referral before a local commission convened to make a decision on the case (see Sections 1.e. and 5).

The Constitution prohibits forced exile, and the Government did not employ it.

#### e. Denial of Fair Public Trial

The Constitution grants the judiciary independent and coequal status with the legislative and executive branches; however, problems in the judiciary remained, including a lack of transparent and neutral standards for assigning cases, poor coordination between prosecutors, investigators, and the courts, corruption, low salaries and understaffing, antiquated procedures, and a heavy backlog of cases.

The European Union Accession Report on Judicial Independence, issued in 2001, stated that because the Constitution provides that the "judicial power" includes prosecutors and investigators as well as judges, the separation of powers was blurred and the independence of judges was compromised. The report also found that the Ministry of Justice continued to exercise extensive administrative powers and that the Government influenced the appointment and promotion of judges and prosecutors and also influenced the outcome of cases. Partly as a legacy of communism and partly because of the court system's structural and personnel problems, many citizens had little confidence in the judicial system. Long delays in trials were common. Human rights groups complained that local prosecutors and magistrates sometimes failed to pursue vigorously crimes committed against minorities. Many observers believed that reforms were essential to establish a fair and impartial, as well as efficient, judicial system. Since 2000 the Government has operated reform programs to upgrade the expertise of the judiciary with the help of international donor organizations. According to observers, these actions produced limited results.

Crime and corruption remained primary concerns of the Government. In July the National Assembly amended the Judicial Systems Act that empowered the Supreme Judicial Council (SJC) to vote on removing the immunity of the Prosecutor General--who previously had been unaccountable--and judges. Some members of the judiciary promptly challenged the amendments, and in December the Constitutional Court overturned them.

During the year, the Government established an anticorruption commission and amended the law to provide for a post-privatization control mechanism. The National Assembly approved amendments to the penal code that prohibited the solicitation of bribes and amended the law on privatization to provide for a post-privatization control mechanism. Politicians and NGOs continued to criticize the Prosecutor General's office for its failure to prosecute vigorously large numbers of serious criminal cases, leaving the impression that it lacked the will to crack down on organized crime and corruption.

Observers noted modest improvement in the efficiency of moving cases through the criminal system, although many serious systemic flaws remained. The police continued to struggle with a large backlog of outstanding investigations, some up to 10 years old, which they inherited from the former investigative service.

The court system consisted of regional courts, district courts, and Supreme Courts of Cassation (civil and criminal appeal) and Administration. A Constitutional Court, which was separate from the rest of the court system, was empowered to rescind legislation that it considered unconstitutional, settle disputes over the conduct of general elections, and resolve conflicts over the division of powers between the various branches of government. Military courts handled cases involving military personnel (including police personnel) and some cases involving national security matters. The Constitutional Court did not have specific jurisdiction in matters of military justice.

Judges were appointed by the 25-member SJC and, after serving for 3 years, could not be removed except under limited, specified circumstances. The difficulty and rarity of replacing judges, virtually regardless of performance, often was cited as a hindrance to effective law enforcement. The 12 justices on the Constitutional Court were chosen for 9-year terms as follows: One-third were selected by the National Assembly, one-third appointed by the President, and one-third selected by judicial authorities. During 2001 the question of whether investigating magistrates enjoyed overly broad immunity--and thus generally were free from disciplinary measures for incompetence or corruption--led to a proposal to limit magistrates' immunity that failed in the National Assembly. The internal mechanisms that controlled corruption in the judicial system were weak. Due to its composition and inadequate support staff, the SJC, which was responsible for the proper administration of justice and drafting the judiciary's budget, was not able effectively to set the judiciary's budget, ensure the effectiveness of judges, or protect the judiciary's independence. The European Union Accession Report on Judicial Independence reported that the SJC's mixed composition and its mandate to represent the entire judicial system (judges, prosecutors, and investigators) made it an ineffective representative of judges and their independence.

Local observers contended that organized crime influenced the prosecutor's office. Few organized crime figures have been prosecuted to date. According to the National Service for Combating Organized Crime, approximately 110 organized crime groups operated in the country. Domestic NGOs estimated that between 25 and 35 percent of the economy was linked to or controlled by organized crime. The MOI requested and received assistance from foreign governments in its efforts to close legal loopholes and strengthen enforcement capabilities against criminal groups engaged in racketeering and other illegal activities (see Section 3).

The Constitution stipulates that all courts shall conduct hearings in public unless the proceedings involve state security or national secrets, and authorities generally respected this provision. Defendants had the right to know the charges against them and were given ample time to prepare a defense. The right of appeal was provided for and was used widely. Defendants in criminal proceedings had the right to confront witnesses and to have an attorney, provided by the state if necessary, in serious cases.

The judiciary continued to suffer from a heavy backlog of cases, which resulted in long delays for trials. During the year, the backlog that had accumulated in the 1990s continued to be reduced. During the first 6 months of the year, Ministry of Justice statistics indicated that 53,908 new criminal cases had been filed, while 59,422 had been resolved. A total of 117,088 new civil cases had been filed in the same time period, and 130,944 civil cases resolved. There were 29,207 criminal and 88,189 civil cases outstanding at the end of June. The practice of pleabargaining, introduced in 2000, had not yet effectively lightened the caseload for prosecutors in its 3 years of operation. In addition, pleabargaining reportedly was perceived by many citizens as a way for the wealthy to buy their way out of charges.

Human rights observers considered educational boarding schools (formerly known as Labor Education Schools), to which problem children could be sent, as little different from penal institutions (see Section 5). However, since the schools were not considered prisons under the law, the procedures by which children were confined in these schools were not subject to minimal due process; several human rights organizations criticized this denial of due process. Children sometimes appeared alone despite the requirement that parents must attend hearings; the right to an attorney at the hearing is prohibited expressly by law. Decisions in these cases were not subject to judicial review, and children typically stayed in the educational boarding schools for 3 years or until they reached majority age, whichever occurred first. The law provides for court review of sentencing to such schools, sets a limit of a 3-year stay, and addresses some other problems in these institutions (see Section 5); however, human rights activists dismissed this court review provision as a formality, since the child was not present to speak on his or her own behalf (nor was the defense lawyer or the child's parents).

There were no reports of political prisoners.

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these provisions in practice; however, there were regular reports of mail, especially foreign mail, being delayed or opened.

The precise extent of the MOI's discretionary power to authorize telephone wiretaps and electronic listening devices without judicial review was undetermined, and concerns remained that government security agencies acted without sufficient oversight. In 2001 media reports and commentaries discussed the need for better legislation and oversight of the various public order agencies, such as the NIS, NBS, and the National Security Service.

The BHC alleged that at times the issuance of warrants to investigate suspects' private financial records was abused to give police broad and open-ended authority to engage in far-ranging investigations of a suspect's family and associates. During the year, an NGO concerned with the rule of law complained that the Law on Special Intelligence Devices provides no possibility for citizens to be informed whether they have ever been the object of surveillance or wiretapping, even if the use of special intelligence devices with respect to them has been terminated. The NGO noted this meant that citizens were potential victims of a violation of Article 8 of the European Convention on Human Rights.

Traffickers in persons used threats against women's families and family reputations to ensure obedience (see Section 6.f.).

## Section 2. Respect for Civil Liberties, Including:

### a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government exerted undue influence on the media. A variety of media outlets presented a broad spectrum of opinion.

Journalists criticized the Government's handling of state-owned broadcast media during the year. During the year, the National Council for Radio and Television was replaced by the Council for Electronic Media (CEM), which was ineffective in handling its licensing responsibilities due to administrative and political disputes; however, there was little demonstrable progovernment bias in its decisionmaking. The BHC reported in March that significant numbers of journalists continued to feel constrained in their reporting because of media outlet management, government influence, and outside pressure. Prosecutors also were regarded widely as wielding an intimidating influence over journalists who were critical of the judicial process.

There were no formal restrictions on programming and both television and radio provided a variety of news and public interest programming. Television and radio news programs on the state-owned media presented opposition views, but under the previous government, some opposition members claimed that their activities and views were given less broadcast time and exposure than those of the then-ruling party. Starting in late 2001 and continuing during the year, there was increasing evidence that the Government was attempting to exercise influence over state-owned media. In addition to passing the controversial measures regarding the CEM and removing the Director General of Bulgarian National Television (BNT) in 2001, the Government removed a political television talk show host, Yavor Dachkov, whose program had become known for its criticism of the Government. During the year, the Government did not succeed in adopting a new media law in the face of opposition arguments that the bill would provide the Government with a means of interfering with state-owned media. However, media observers believed that the inadequacy of existing legislation left state-owned media vulnerable to government pressure.

The Access to Public Information Act (APIA) established broader public access to government information; however, since it was enacted in 2000, implementation of the law has been uneven (see Section 4). NGO observers noted that both government officials and members of the public had an inadequate understanding of procedures under the act, reducing the act's usefulness as a tool to promote public access to government information. Nevertheless journalists appeared to take the law increasingly into account when seeking information from the Government. The NGO Access to Information Program (AIP) reported having 515 consultations with various parties about using the APIA during the year. The AIP reported that when it became involved, government agencies often, but not always, responded to APIA requests. AIP noted that 23 out of 25 municipalities that it surveyed had appointed an official to handle APIA requests, although only 1 had appointed an official full-time. The NGO estimated that less than 40 percent of the country's hundreds of municipalities made public current information under the APIA.

In 2001 the Government amended rules regarding press reporting on the activities of the Council of Ministers. These rules sought to restrict media access to the Council but were limited following protests by journalists. The only restriction in effect was that Ministers could not take questions before ministerial sessions, although they routinely issued statements to the press after Cabinet sessions. In May the Supreme Administrative Court ruled that, under the APIA, the Council of Ministers in 2001 unlawfully had declined to make public the transcript of a ministerial session requested by a journalist from Kapital weekly and decreed that the Council of Ministers should reconsider its position on the journalist's request.

The situation with respect to licensing did not improve due to problems surrounding the operation of the CEM. In 2001 former president Stoyanov signed a media law that created the CEM. Five of the CEM members were chosen by the National Assembly and four by the President. The CEM was authorized to regulate programming and issue licenses for electronic media, a power previously held by the State Telecommunications Commission. In 2001 the Council of Europe criticized the concentration of frequency allocation authority in a nontechnical body, and media observers were concerned that this measure would lessen state radio and television independence in reporting on government policies and programs. In practice the CEM focused on monitoring and administrative activities.

In July the National Assembly passed amendments to the Electronic Media Act (EMA) that require the CEM to issue radio and television broadcast licenses only in accordance with the Overall Strategy on the Development of Radio and Television Broadcasting. The CEM drafted the strategy, which required the National Assembly's approval, in cooperation with the Commission for Regulation of Telecommunications. The National Assembly had not approved the strategy by year's end. As a result, the CEM did not promulgate new licensing procedures, and it was not clear when the Government would resume licensing electronic media. Some media observers alleged that these delays stemmed from the ruling party's wish to prevent television licenses from being issued to broadcasters who might criticize the Government.

A variety of newspapers were published freely by political parties and other organizations representing the full

spectrum of public opinion. However, journalists frequently wrote reports to conform to the views of their owners.

Libel is punishable under the criminal code, but in most cases the courts defined libel and interpreted the law in a manner that favored journalistic expression. In 2000 the National Assembly reduced the fines for libel and defamation by half to approximately \$7,500 (15,000 leva), but this reduced fine remained a heavy penalty in the context of the country's economy. The provisions eliminated imprisonment as a penalty for libel; however, according to an NGO report, in one case a person was imprisoned for libel, despite the amendment, because imprisonment was allowable at the time he was charged. Journalists charged with libel or defamation also have reduced rights of appeal for libel sentences under the law. Under the law, libel remains a criminal offense and losing defendants are considered to be criminals.

Legal actions regarding media officials continued. In March the Supreme Administrative Court (SAC) ruled that former BNT director Lily Popova was fired illegally and should be reinstated as BNT director. However, Popova's term had already expired and the CEM had appointed Kiril Gotzev Director General of BNT; therefore, no actions were initiated by CEM as a result of the SAC ruling. At the same time, BNT anchorman Dimitur Tzonev, a failed candidate for the BNT director's position, challenged the CEM's selection of Gotzev before the SAC. In July the SAC ruled that Gotzev had been appointed lawfully, and in October Tzonev was appointed government spokesman.

The BNT broadcast Turkish-language newscasts, and local affiliates of Bulgarian National Radio broadcast limited Turkish-language programming in regions with ethnic Turkish populations. Foreign government radio programs such as the British Broadcasting Corporation, Deutsche Welle, Radio Free Europe, Radio France Internationale, and the Voice of America had good access to commercial radio frequencies.

Access to the Internet was unrestricted, although many citizens could not afford computers. Internet cafes were common.

The Government did not restrict academic freedom.

#### b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this right in practice. Authorities required permits for rallies and assemblies held outdoors, but most legally registered organizations routinely were granted permission to assemble. Vigorous political rallies and demonstrations were a common occurrence and generally took place without government interference.

The Constitution provides for freedom of association; however, the Government prohibited groups that endanger national unity or promote racial, national, ethnic or religious hatred, violate the rights of citizens, or seek to achieve their objectives through violent means. The Government undertook to respect the rights of individuals and groups to establish freely their own political parties or other political organizations; however, there are constitutional and statutory regulations that restrict the right of association and limit meaningful participation in the political process. For example, the Constitution forbids the formation of political parties along religious, ethnic, or racial lines and prohibits citizens' associations from engaging in political activity. These provisions were designed to prevent the development of parties based on a single ethnic or other group that could hurt national unity by promoting ethnic tensions for political purposes. Nonetheless the mainly ethnic MRF has long been represented in the National Assembly and in the Cabinet since 2001. The other major political parties generally accepted the MRF's right to participate in the political process. In addition, a number of predominantly ethnic Roma political parties achieved some success in local elections in 2001.

The Constitution also prohibits organizations that threaten the country's territorial integrity or unity or that incite racial, ethnic, or religious hatred. In 2000 the Constitutional Court, the final authority on the matter, ruled that the political party United Macedonian Organization (OMO-Ilinden-Pirin, not to be confused with the similarly named rights group, OMO-Ilinden, although there were links between the groups) was unconstitutional on separatist grounds. In 2001, with the support of the Bulgarian Helsinki Committee, OMO-Ilinden-Pirin leaders filed an appeal with the European Court of Human Rights (ECHR). In December the MOI stated that it had no knowledge of any complaint by OMO-Ilinden-Pirin before the ECHR.

#### c. Freedom of Religion

The Constitution provides for freedom of religion; however, the Government restricted this right in practice for some nontraditional religious groups. The Constitution designates Eastern Orthodox Christianity as the traditional

religion. The Government provided financial support to the Eastern Orthodox Church, as well as to several other religious communities perceived as holding historic places in society, such as the Muslim, Roman Catholic, and Jewish faiths, which also were considered traditional. These groups benefited from a relatively high degree of governmental and societal tolerance.

The law on religion requires groups whose activities have a religious element to register with the Council of Ministers. By year's end, a total of 30 denominations were registered. The Government restricted religious freedom through a registration process that was selective, slow, and nontransparent. The Government prohibited the public practice of religion by groups that were not registered. In January the Church of the Nazarene was registered after more than 6 years of obstruction, with the assistance of the Prime Minister's direct intervention.

Although in previous years a few municipalities passed ordinances that aimed to curtail religious practices, the Government subsequently suspended these ordinances. However, the City Council in Burgas continued to refuse to register the local branch of Jehovah's Witnesses, despite the fact that they were registered by the national Government.

In some cases, the failure of denominations to achieve registration as religious organizations caused them to function in an environment of indeterminate legality and to establish NGOs that functioned in nondenominational ways. Some groups rejected the idea of state registration. Although they operated, they were unable, for example, to rent conference halls because they did not exist as legal entities.

The appeal before the ECHR regarding a license for a nondenominational Christian radio station, Glas Nadezhda, remained pending at year's end.

The split within the Bulgarian Orthodox Church (BOC) between those who supported Patriarch Maksim and those who viewed him as illegitimate because he was selected in 1971 under Communist rule to head that church led to violence in July. A pro-Maksim Orthodox priest was arrested as a suspect in the killing on July 21 of alternative synod Orthodox priest Stefan Kamberov at a monastery near Blagoevgrad, and the alternative synod also accused the police chief of Blagoevgrad of aiding and abetting the crime. The authorities had not completed their investigation by year's end (see Section 1.a.). The Government stated the need to heal the schism but generally was perceived as favoring Maksim. The split hindered efforts to pass new legislation and to resolve outstanding claims relating to formerly Orthodox properties still held by the Government.

Except for alleged police involvement in actions against the alternative synod of the BOC, there were no reports of official harassment of religious groups during the year.

In December the National Assembly enacted the Law on Religious Confessions to replace the universally unpopular Communist-created law of 1949 and, indirectly, to end the schism within the BOC in favor of the Holy Synod headed by Patriarch Maksim. The law exempts the BOC from required registration and provides for an expedited registration procedure for the 30 denominations that had been registered under the 1949 law. Religious groups not registered previously under the 1949 law will not enjoy similar rights. Neither the Government nor the National Assembly requested review of the legislation by the Council of Europe or the Organization for Security and Cooperation in Europe (OSCE) prior to passage, as had been done by the previous Government with respect to a draft religious affairs bill in 2001. NGOs and religious affairs observers expressed concern that the law would be used to favor the Holy Synod and to evict the Alternative Synod from properties under its control. Although the National Assembly took into consideration suggestions and critiques by Muslims, non-Orthodox Christians, and some NGOs, some media noted concerns of the Alternative Synod and the opposition UDF that the new law unfairly exempts the Maksim-led BOC from the registration requirement and would be used to suppress the anti-Maksim faction.

At the Department of Theology of Sofia University, all students were required to present a certificate of baptism from the Orthodox Church, and married couples were required to present a marriage certificate from the Church in order to enroll in the Department's classes. Non-Orthodox applicants could not be admitted to the Department of Theology.

A number of religious groups complained that foreign-national missionaries and religious leaders experienced difficulties in obtaining and renewing residence visas in the country; the issuance of residence visas appeared to be subject to the whim of individual authorities. New amendments to the Law on Foreign Persons, which went into effect in 2001, created problems for foreign missionaries and religious workers in the country. For example, the revised law has no visa category which explicitly applies to missionaries or religious workers, and rules for other categories of temporary residence visa (such as self-employed or business-owner) have been tightened in ways

that reportedly make it more difficult for religious workers to qualify. For example, foreign evangelical missionaries in Stara Zagora, who had reported confusion, delays, and demands for unexpected fees and bribes while applying for visas, were granted 1-year visas in July following a visit to Stara Zagora by a foreign diplomatic representative. Some foreign missionaries reportedly continued to travel in and out of the country every 30 days, despite the financial costs involved, in order to avoid having to obtain visas.

NGOs and certain denominations claimed that a number of their properties confiscated under the communist government were not returned. For example, the Muslim community asserted that it once owned at least 17 properties around the country that the Government has not returned. The Government also reportedly retained six buildings in Sofia, three in Plovdiv, and several other buildings in other towns, as well as three monasteries that belonged to the Catholic Church. Methodists and Adventists also claimed land or buildings in Sofia and other towns. A representative of the Jewish community stated that former Jewish properties had mostly been recovered over the last 10 years, with two exceptions in downtown Sofia. The head of the Office on Restitution Issues stated that the list of outstanding claims was shorter during the year, and that the law permits resolution of claims if a timely filing was made. However, a central problem facing all claimants was the need to demonstrate that the organization seeking restitution was the same organization--or the legitimate successor of the organization--that owned the property prior to September 9, 1944. This was difficult because communist hostility to religion led some groups to hide assets or ownership and because documents had been destroyed or lost over the years.

Discrimination, harassment, and general public intolerance toward religious minorities, which included the great majority of Protestant denominations, remained a problem; however, the number of reported incidents decreased during the year. Strong suspicion of evangelical denominations among the Orthodox was widespread and pervasive and resulted in societal discrimination. Nevertheless, human rights observers agreed that such discrimination has gradually lessened over the last 4 years as society appeared to become more accepting of at least some previously unfamiliar nontraditional religions.

There were no reports during the year that non-Orthodox religious groups were affected adversely by media coverage. In previous years, numerous articles in a broad range of newspapers as well as television documentaries reported inaccurately on the activities of non-Orthodox religious groups, attributing the breakup of families and drug abuse by youths to the practices of these groups, and alleged that evangelical parents provided illegal drugs to young children. In February a youth with skinhead connections in Sofia stabbed a Mormon missionary; however, it was not known whether the attack was connected with the victim's religious activities or affiliation. Two assailants were arrested, charged with relatively minor offenses, convicted, and given suspended sentences. The missionary recovered.

In April a gang of apparent skinheads attacked a group of Roma in Pazardzhik, resulting in several hospitalizations. Although the motive for the attack was unclear, it reportedly took place following a service by a Swedish evangelical preacher at the local stadium.

For a more detailed discussion see the 2002 International Religious Freedom Report.

#### c. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government restricted the access of noncitizens to border zones that extending up to approximately 4.2 miles from the country's border. Every citizen has the right to return to the country, may not be forcibly expatriated, and may not be deprived of citizenship acquired by birth; there are no limits to these rights under the Constitution.

The Government granted asylum and refugee status in accordance with the standards of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Law on Refugees regulates the procedure for granting refugee status as well as the rights and obligations of refugees. The Agency for Refugees, formerly the National Bureau for Territorial Asylum and Refugees, was charged with following this procedure. The Government cooperated with the U.N. High Commission for Refugees (UNHCR) and other humanitarian organizations in assisting refugees.

The Government provided first asylum. In the past, domestic and international human rights organizations had expressed concern over the Government's handling of asylum claims and reported that there may have been cases in which bona fide refugees were turned away at the border. No such cases were reported during the year; however, because NGOs lacked institutionalized access to the country's borders, it often was difficult for them to monitor the Government's handling of asylum cases.

During the year, the State Agency for Refugees received requests for refugee status from 2,888 persons. Refugee status was granted to 75 persons and humanitarian protection given to 646, while 781 applications were denied. There were 1,140 cases pending at year's end. The leading countries from which applicants originated were Iraq, Afghanistan, Armenia, Sudan, and Nigeria. In 2001 there were 2,428 applicants, of which 385 received refugee status, 1,185 were granted humanitarian protection status, and 633 had their applications denied.

Humanitarian protection status provided temporary protection for 1 year, and persons could reapply.

In June the National Assembly adopted the Law on Refugees and Asylum that streamlines the procedures for granting asylum and refugee status. Under the law, applicants for asylum or refugee status are interviewed immediately. Within 3 days of the interview, applications are reviewed by a competent authority, who determines whether they merit further processing. The law also provides for the detention of foreigners who are deemed by the MOI to pose a threat to national security, or who have committed serious crimes.

The Agency for Refugees reported that it had received 5,938 applications for asylum since its inception in 1993. Of these, 902 persons were listed as holding approved asylum or other humanitarian residence status at year's end. Domestic and international human rights organizations complained that the adjudication process was slow, but the UNHCR noted that the Agency for Refugees began a major restructuring project to reduce the adjudication time to a period of 3 months; the project was expected to take 4 years. The UNHCR, in cooperation with an NGO, operated three transit centers near the Greek, Turkish, and Romanian borders and assisted the Government with a small reception center in Banya.

The case of Ahmad Musa, a Palestinian who was expelled from the country for being a threat to national security in 2000, remained pending before the ECHR at year's end.

There were no reports during the year of the forced return of persons to a country where they feared persecution.

### Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections of the President and members of the National Assembly. However, the constitutional prohibition of parties formed on ethnic, racial, or religious lines effectively circumscribed access to the political party process for some groups (see Section 2.b.). Suffrage is universal at the age of 18.

Parliamentary elections held in 2001 were considered by international observers to be generally free and fair, and voting took place in a calm and orderly atmosphere; however, the OSCE reported that while a large number of media outlets gave the public broad access to information, provisions in the Election Law regulating campaign coverage in the public media were overly restrictive. Election contestants also had to pay for all appearances in the public broadcasting media, including debates, which effectively limited campaign coverage in the media. A coalition Government headed by former King Simeon Saxe-Coburg of the NMS party won the elections and took office in 2001.

There were no legal restrictions on the participation of women in government and politics. There were 63 women in the 240-seat National Assembly. A number of women held elective and appointive office at high levels in the new Government, including one Deputy Prime Minister (who also was Minister of Labor and Social Policy), the Minister of Environment and Water Resources, and 10 deputy ministers. Women also held key positions in the National Assembly, including one Deputy Speaker and the chairs of three committees. The largest opposition party in the National Assembly, the Union of Democratic Forces, was led by a woman.

There were no legal restrictions on the participation of minorities in politics; however, the Constitution prohibits ethnically, racially, or religiously based parties (see Section 2.b.). There were 23 minority members of parliament (M.P.s) in the 240-seat National Assembly. There were two MRF ministers in the Cabinet. They were the first ethnic Turks to serve in the Cabinet. The Turkish community's popularly elected representation of twenty ethnic Turks in the National Assembly roughly corresponded to its size. There were two Roma in the National Assembly, one was an NMS member, the other a BSP member. Both groups were underrepresented in appointed governmental positions, especially leadership positions. Romani groups demanded that existing political parties adopt platforms pledging more representation and other improvements for Roma in return for Romani support. There was also one ethnic Armenian M.P. in the National Assembly.

### Section 4. Governmental Attitude Regarding International and Nongovernmental Investigations of Alleged

## Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Human rights observers reported uneven levels of cooperation from various national and local government officials during the year. The APIA opened new channels of information, which at times proved quite helpful to human rights observers; however, implementation of the act has been uneven. In particular, local administrations were slow to designate a place where APIA requests could be submitted. Human rights observers also experienced some difficulty in obtaining information that had been easy to obtain before 2001, such as information from prosecutors. During the year, a number of NGOs issued reports that analyzed and criticized the prevalence of corruption and organized crime as well as the weak and inefficient criminal justice system, sparking considerable public debate. The Government made no attempt to suppress them or punish their authors.

The police continued cooperation with human rights NGOs in providing human rights training to police officers; however, the BHC did not conduct any further human rights awareness training during the year. In general human rights observers reported continued receptivity and dialog on the part of the Government and police officials toward human rights concerns. However, police practices at the working level had not changed noticeably.

## Section 5. Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for individual rights, equality, and protection against discrimination; however, in practice discrimination still existed, particularly against women and Roma.

### Women

Societal violence against women was a serious and common problem, but there were no official statistics on its occurrence. The Animus Association Foundation (AAF), an NGO that offered assistance and support to female victims of violence, estimated that one in five women suffered from spousal abuse. The law exempts from state prosecution certain types of assault if committed by a family member, and the Government generally did not assist in prosecuting domestic assault cases unless the woman was killed or injured permanently. Courts and prosecutors tended to view domestic abuse as a family matter rather than a criminal problem. In most cases, victims of domestic violence took refuge with family or friends rather than approach the authorities. Police often were reluctant to intervene in cases of domestic abuse, even if a woman called them seeking protection or assistance.

The Government did not take steps to combat violence against women and did not provide shelter or counseling for women. In Sofia the NGO Nadya De Center provided shelter to battered women, and the AAF opened a crisis center that provided short-term emergency shelter for female victims of violence. At year's end, there were 15 crisis centers around the country that provided assistance to female victims of violence. The AAF also operated a 24-hour hot line for women in crisis that was staffed by volunteer counselors, supported by 13 full-time professional therapists.

NGO observers reported a generally improved public attitude toward the problems of violence against women in the last few years. After several years of activism by various NGOs, the taboo against acknowledging and talking about domestic violence and violence against women has been broken. Observers also noted some increased sensitivity on the part of police to the issue. The AAF reported that it periodically received client referrals from police.

For the period January through June, the AAF reported that it had assisted 405 female victims of domestic violence, including 12 adolescents, 27 victims of sexual violence, and 18 traumatized witnesses or family members of the victims. However, observers believed that the actual incidence of each form of violence was much higher, as these represented only those cases where the victims (or, in some trafficking cases, an overseas women's group) were willing and able to contact the AAF.

Spousal rape is a crime, but it rarely was prosecuted. The courts prosecuted rape, although it remained an underreported crime because of the stigma which society attached to the victim. The maximum sentence for rape is 8 years; convicted offenders often received a lesser sentence or early parole. According to the MOI, 215 rapes and 64 attempted rapes were reported for the period January through June, compared with 197 and 35, respectively, from January to August 2001. According to a survey by a local polling agency, 80 percent of rapes involved an assailant known to the victim.

Prostitution was not prohibited by law; however, a variety of activities often associated with prostitution, such as pimping, were illegal (see Section 6.f.). Forced prostitution was illegal, but remained a serious problem. Poor socioeconomic conditions contributed to a disproportionate number of Romani women drawn into organized prostitution.

Trafficking in women was a serious problem (see Section 6.f.).

The law does not prohibit sexual harassment, and sexual harassment was a widespread problem. Labor unions reported that sexual harassment occurred in the clothing assembly industry, particularly in the southern parts of the country. A survey conducted by the Agency for Social Research (ASR) during the year found that approximately 40 percent of women had suffered sexual harassment in the workplace. Most incidents were unreported.

The Constitution forbids privileges or restrictions of rights on the basis of sex, and women were not impeded from owning or managing businesses, land, or other real property and do not suffer from discrimination under inheritance laws; however, women faced discrimination both in terms of job recruitment and the likelihood of layoffs.

Official figures showed the rate of unemployment to be higher for women than for men. Women were much more likely than men to be employed in low-wage jobs requiring little education. The National Statistical Institute reported that in late 2001, the average salary of a woman was 77 percent of the average salary of a man. An ASR survey found that 52 percent of the country's unemployed were women and that women received only 67 percent of the remuneration of their male counterparts due to limited overall opportunities for promotion. An Austrian government-funded survey on obstacles to female entrepreneurs in the country, carried out by the Foundation for Entrepreneurship Development, found that barriers included the unavailability of start-up capital, corruption, and low purchasing power. In 2000 there were half as many self-employed women as men, and women owned or managed only a third of domestic businesses.

Women were as likely as men to attend universities. However, in the workplace, women had less opportunity to upgrade their qualifications and generally secured lower-ranking and lower-paying positions than their male counterparts. Women generally continued to have primary responsibility for child rearing and housekeeping, even if they were employed outside the home. Since 80 percent of employed women work in the lowest-paying sectors of the labor force, they often needed to work two jobs in addition to their household duties in order to help provide for their families. Female-headed households frequently lived below the poverty line. There were liberal provisions for paid maternity leave; however, these actually could work against employers' willingness to hire and retain female employees. This was noticeable especially in higher-paying positions in the private sector, where many women with engineering degrees worked as secretaries.

The Government did not have programs to address economic discrimination or integrate women into the mainstream of society and the economy, although much NGO activity was focused on these areas.

Many of the approximately 30 women's organizations were associated closely with political parties or had primarily professional agendas. Some observers believed that women's organizations tended to be associated with political parties or professional groups because feminism had negative societal connotations. Of those organizations that existed mainly to defend women's interests, the two largest were the Women's Democratic Union in Bulgaria and the Bulgarian Women's Association. The Party of Bulgarian Women was one of the founding parties in the NMS coalition, which won the 2001 parliamentary elections (see Section 3).

#### Children

The Government generally was committed to protecting children's welfare; however, government efforts in education and health were constrained by serious budgetary limitations and by outmoded social care structures. The Constitution provides for mandatory school attendance until the age of 16. Public education was free, but children were required to pay for books, which was a problem for poor families. Fewer girls than boys attended school, especially among minority groups.

Many Roma and other observers made credible allegations that the quality of education offered to Romani children was inferior to that afforded to most other students. Some parents were reluctant to have too many Romani children enrolled in school because they feared it would lower the school's academic standards. Romani children and ethnic Bulgarian children generally attended separate schools, although integration programs, including busing, were started in several localities during the year. The Government largely was unsuccessful in attracting and keeping many Romani children in school. Schools in most Romani neighborhoods suffered from chronic

absenteeism and very low graduation rates. Less than 8 percent of Romani children have completed secondary education, and less than 1 percent have graduated from college. Many Romani children arrived relatively unprepared for schooling; many were not proficient in the Bulgarian language. Since March a project in Silistra region provided weekend classes for Romani children under the age of 15 who were not in school.

Poverty led to widespread school truancy because many children in Romani ghettos could not afford shoes or basic school supplies, and instead turned to begging, prostitution, and petty crime on the streets. A social milieu that often did not highly value formal education also was a contributing factor. Lack of effective government infrastructure and programs and economic and social factors combined to deprive Romani youths of an education.

There were indications that some initiatives undertaken by the Government and by Romani NGOs were achieving small successes in mitigating these problems, for example by providing free lunches and subsidizing textbook and tuition costs. With the help of international donor funding, an ethnic reintegration effort began in schools in Vidin in 2000 and continued through the year. Since 2000 busing programs have operated in Vidin and elsewhere, although one Romani M.P. called the program a failure, and an EU representative in Sofia stated that there should be an assessment of the impact of the program around the country. Nevertheless, during the year, Romani children from the settlement continued to attend nonsegregated schools as a result of local and international nongovernmental initiatives, and the program was expanded to include the cities of Montana, Pleven, Stara Zagora, Sliven, and Khaskovo.

Conditions for children in state institutions were poor. At the end of 2001, according to the State Agency for Child Protection, there were approximately 35,000 children confined to 360 state or municipal institutions that were under the jurisdiction of 5 different government ministries. Only 2 percent of these children were orphans, but many had disabilities. Social attitudes towards children with disabilities led families to institutionalize their children if they had disabilities. Another 2,900 children were considered at risk and were forced to seek care in institutions because their families could or would not support them. Human rights monitors were sharply critical of the serious deficiencies in government-run institutions for children, including orphanages, educational boarding schools (reform schools), facilities for the mentally handicapped, and shelters for homeless children. These facilities were plagued by inadequate budgets, poorly trained and unqualified staff, and inadequate oversight. For example, the Government maintained a sizable network of orphanages throughout the country. However, many of the orphanages were in disrepair and lacked proper facilities. NGO monitors further alleged that even food budgets were highly deficient, with many institutions dependent on the uneven flow of private donations to feed their charges. Access to medical care and proper hygiene was poor.

There were few provisions for due process of law for Roma and other juveniles when they were detained in educational boarding schools run by the Ministry of Education (see Section 1.e.). Living conditions at these reform schools were poor, offering few medical, educational, or social services. Generally, staff members at many such institutions lacked the proper qualifications and training to care for the children adequately. Degrading and severe punishment, such as the shaving of a child's head, reduction in diet, severe beatings, and long periods of solitary confinement, were common at the schools. Children in these institutions also did not have adequate access to medical care. Legislation provides for the court review of sentencing to such schools and addresses other problems in the reform school system (see Section 1.e.); however, these provisions did not function in practice. Decisions to commit children to an educational boarding school were made by local commissions for combating juvenile delinquency, which generally were not held accountable to any higher authority. Standards differed among these local commissions in how closely prescribed procedures were followed. Human rights observers reported that in many localities, contrary to the law, a child could be held in such a facility on the basis of a police referral for months before the local commission convened to make a decision on the case. The U.N.'s Common Country Assessment for Bulgaria reported in 2001 that the children in these facilities could be subject to physical abuse and upon leaving these homes could be emotionally scarred and ill-prepared to face the outside world.

There was no societal pattern of abuse against children; however, some Romani children were targets of skinhead violence and arbitrary police detention (see Section 1.d.); the homeless or abandoned particularly were vulnerable.

There were reports that family or community members forced some minors into prostitution. Child prostitution reportedly was particularly common among Romani youth.

Trafficking in girls was a problem (see Section 6.f.).

#### Persons with Disabilities

The law provides for a range of financial assistance for persons with disabilities, including free public

transportation, reduced prices on modified automobiles, and free equipment such as wheelchairs; however, budgetary constraints limited the availability of assistance. A survey during the year by the Center for Independent Living found that about 82 percent of public buildings were inaccessible to persons with disabilities. Societal discrimination against persons with disabilities persisted. Persons with disabilities had access to university training (students with disabilities were required to pay the university's initial application fee but were exempt from tuition if accepted), to housing, and to employment; however, architectural barriers were a great hindrance in most older buildings, including schools and universities.

Conditions in institutions for persons with disabilities were poor. In April Amnesty International (AI) published a report on Sanadinovo Social Home for Mentally Disabled Women, which was found to be grossly understaffed and conditions failed to meet international human rights standards. For example, as punishment, women were held in a cage made of iron bars and wire; the NGO observers noted that the cage floor was dirty with human excrement. The report prompted a swift investigation by the Ministry of Health and the Ministry of Labor and Social Policy, and the home was closed in July. AI also publicized inhuman conditions at a home for men with mental disabilities in Dragash Voyvoda, where 22 residents reportedly died of starvation and pneumonia in 2001. The home's director was fired immediately, and the 147 remaining residents were scheduled to be relocated by year's end because the premises in Dragash Voyvoda could not be renovated.

Labor laws intended to protect the interests of persons with disabilities and create employment opportunities have had a mixed effect. On the one hand, the law provides incentives for small firms to hire persons with disabilities; for example, the Bureau of Labor paid the first year's salary of a disabled employee. On the other hand, workers with disabilities were entitled to shorter working hours, which often led to discrimination against them in hiring. According to the law, any enterprise employing more than 50 persons must hire a certain number of workers with disabilities (from 3 to 10 percent, depending on the industry). Those that fail to do so must pay a fine, the proceeds of which go to a fund for persons with disabilities. Nevertheless, due to low fines and delays in the judicial system, compliance rates were extremely low. General unemployment and a poor economy also undermined initiatives aimed at advancing equal opportunity for persons with disabilities; the great majority of persons with disabilities were unemployed.

Policies and public attitudes prevalent during the communist era, which separated persons with mental and physical disabilities, including very young children, from the rest of society, have persisted. Some complained that the effective segregation of children with disabilities into special schools lowered the quality of their education. Many children with disabilities were institutionalized.

The law requires improved structural access for persons with disabilities, and public works have taken the needs of persons with disabilities into account; for example, Sofia's new subway system was designed with wheelchair access to stations. However, enforcement of this law lagged in existing, unrenovated buildings.

#### National/Racial/Ethnic Minorities

According to a 2001 census, ethnic Bulgarians made up 86 percent and ethnic Turks 9 percent of the population. Ethnic Roma were estimated officially to comprise 4.6 percent of the population; however, their actual share was likely between 6 and 7 percent, since many persons of Romani descent tended to identify themselves to the authorities as ethnic Turks or Bulgarians. A Council of Europe report issued during the year estimated that there were 600,000 to 800,000 Roma in the country; official statistics estimated the number of Roma at 371,000. Ethnic Bulgarian Muslims or Pomaks were a distinct group of Slavic descent whose ancestors converted from Orthodox Christianity to Islam; they constituted 2 to 3 percent of the population. Most were Muslim, although a number became atheists or converted to Christianity. Smaller groups, such as Jews and Armenians, were well integrated into Bulgarian life.

There were no reports of lethal police assaults on Roma; however, police harassed, physically abused, and arbitrarily arrested some Romani street children (see Sections 1.c. and 1.d.). Little progress was in resolving cases of police violence against Roma in previous years, and these largely remained in the investigatory phase.

In January three Roma were arrested for reportedly assaulting a police officer in a Burgas area village, breaking his ribs. In March near Vidin, two Romani minors reportedly killed a non-Romani man during an attempted robbery. In April a similar killing occurred in the village of Ivanski, near Shumen.

There were reports of non-Roma/Roma violence. In April 5 or 6 persons attacked a group of 15 Roma as they returned home from a Pentecostal Church meeting in Pazardzhik. The attackers used bats and chains. Non-Roma living nearby came to the assistance of the Roma, but five Roma were hospitalized. Complaints were filed but

police made no arrests by year's end. Also on April 20, a group of skinheads attacked Roma in a nightclub in the village of Oreshak, near Troyan. On May 26, private security guards killed 19-year-old Miroslav Zankov at the abandoned military airport in Gabrovnitsa, near Montana. On August 21, another private security guard shot and killed 21-year-old Pavel Y. in Sofia. Both victims allegedly were stealing. Investigations continued in both cases at year's end, but no charges had been filed.

Much of the violence afflicting Romani communities in the country during the year was intraethnic. The most significant violence took place in Vidin. In June members of a rival clan killed 19-year-old Tsvetelin Petrov, a member of the Zrunkov clan, who allegedly was ransacking a shop, which started a riot. Police and armored vehicles were used to restore order, and a man was killed under unclear circumstances. At the insistence of other Roma, the Government then sought to disperse the Zrunkovs, who had acquired a reputation within the local community as troublemakers and usurers, to towns and villages around the country; however, they encountered nearly universal hostility from Roma and non-Roma.

In July one member of the Zrunkov clan, Ivan Ivanov, attempted to set himself on fire in front of the President's office, but guards quickly extinguished the flames. Also in July, police arrested 16 Roma in Vidin after they reportedly plundered the houses and property of the departed Zrunkovs. Additionally in July, in the town of Chirpan, six Roma (including a 6-year-old child) were injured in fighting between rival clans. Most of the Zrunkovs were reported to have returned quietly to Vidin or to have emigrated by year's end.

Severe unemployment and poverty among the Roma, combined with generally unfavorable attitudes towards Roma among ethnic Bulgarians and Turks, contributed to strained relations between the Roma and the rest of society. Economic stress and other factors led to protests or violence during the year. The most significant disturbances arose in connection with efforts by some local electricity companies to collect large unpaid electric bills accumulated by persons living in Romani neighborhoods.

As individuals and as an ethnic group, Roma continued to face high levels of discrimination. Roma encountered difficulties applying for social benefits, and local officials discouraged rural Roma from claiming land to which they were entitled under the law disbanding agricultural collectives. Many Roma and other observers made credible allegations that the quality of education offered to Romani children was inferior to that afforded most other students. Workplace discrimination against minorities continued to be a problem, especially for Roma. Employers justified such discrimination on the basis that most Roma only had elementary training and little education. Roma continued to suffer from inadequate access to health care.

Romani activists and NGOs continued to criticize the Government's lack of progress in implementing its framework program for Romani integration--the Program for Social Integration of Roma--which was unveiled in 1999. Aside from the hiring of a number of individual Romani representatives in various institutions of local, regional, and national government (see Section 3), there was little discernible progress in implementing the program.

Nevertheless, there were projects that sought to improve economic and educational opportunities for Roma, as well as to address the problem of ineffectual political leadership among the Roma. One program was the Ethnic Integration and Conflict Resolution project, which began operations in Vidin and Kyustendil, as well as in Lom where it was launched in 2000. The project included providing limited funds to small enterprises which employ Roma, undertaking activities to reduce Romani drop-out rates and provide tutoring for university enrollment exams, and creating an Institute for Roma Leaders where young Roma could develop leadership and conciliation skills. Social aspects of the project included health education for women, a needed component, since Roma suffer from inadequate health care. An estimated 90 percent of Roma never have received routine medical or dental care. Life expectancy for Roma was 55 years; for ethnic Bulgarians, it was 69 years.

Demands for expulsion of Roma continued. In 2001 in an open letter sent to Prime Minister Saxe-Coburg, groups claiming to represent Roma complained of public statements, made by ethnic Bulgarians in some towns, calling for measures that could lead to further segregation of the Roma. During the year, the most significant demand for the expulsion of some Roma came from other Roma in the case of the Zrunkov clan in Vidin. No new demands by non-Romani groups for the expulsion of Roma were reported.

The Government and the European Bank for Reconstruction and Development funded the construction of new apartments in Sofia for Roma who were displaced in 2001. Approximately 100 families occupied the new housing; the program was scheduled to continue in 2003, with additional construction in Plovdiv.

During the year, Roma protested after government-owned local electricity companies demanded the payment of large unpaid bills that residents of some Roma communities had accumulated over recent years. The unrest began

in February when Roma in Plovdiv protested a decision by the local electricity company to cut off power to the mainly Romani neighborhood of Stolipinovo because of unpaid bills of approximately \$3 million (6 million leva). Other places affected included districts in and around Burgas, where unpaid bills amounted to approximately \$120,000 (240,000 leva), and Sliven. In Sliven many Roma had not paid their electricity bills for 4 or 5 years. In the northwestern city of Vidin, where it was eventually agreed, as elsewhere, that a portion of Government welfare payments would go directly to the local electric company, Roma protested that they would no longer be receiving that money in cash. There were reports that failure to collect electricity bills was considered an informal welfare benefit extended by some local governments to Romani communities.

Beginning in late 2001, the Interior Ministry reserved 20 to 30 places in the Police Academy for minority candidates to address the serious underrepresentation of ethnic Turks and Roma in the police agencies. According to the Government, the number of Romani police officers rose from 59 in 2001 to 158 during the year, including four officers, 89 sergeants, and 55 police guards. A special Office for Romani Training Programs was established, and bilingual training manuals were published. However, ethnic Turks and Roma held no senior law enforcement positions.

In 2000 the Government completed the transformation of controversial military construction battalions into a state-owned company that no longer employed conscript labor. During the year, there were no reported problems with the integration of ethnic minority conscripts into the mainstream of the military forces, but there were few ethnic Turkish or Romani military officers and a small number of high-ranking officers of the Muslim faith.

Ethnic Turks were represented on the boards of state-owned companies, such as Bulgartabak Holding, which were involved in the tobacco industry. However, observers expressed concern over the socioeconomic implications of the privatization of Bulgartabak for the sizeable number of ethnic Turks whose livelihood depended on tobacco. With the privatization of Bulgartabak, the Government no longer subsidized tobacco growers by buying tobacco above market price.

There were no restrictions on speaking Turkish in public. Voluntary Turkish-language classes in public schools, funded by the Government, continued in areas with significant Turkish-speaking populations, although some observers complained that the Government discouraged optional language classes in areas with large concentrations of Muslims. The Ministry of Education estimated that approximately 40,000 children studied Turkish. Some ethnic Turkish leaders continued to call for compulsory Turkish-language classes in areas with significant ethnic Turkish populations, but support for these views was muted during the year since the MRF became part of the Government. During the year, the Interior Minister and the Vice President both publicly apologized to the Turkish minority for the renaming campaign in the 1980s.

Ethnic Bulgarian Muslims, often called Pomaks, remain in an ambiguous position. In the town of Yakoruda, local officials refused to recognize Pomak identity, and those calling themselves Pomaks or Bulgarian Muslims alleged discrimination by government officials. Several years ago, a local prosecutor reportedly refused to register a new NGO whose name included the word Pomak, but the NGO eventually was registered under a different name. Nevertheless, local officials reportedly continued to hamper the activities of the NGO after they learned that its members identified themselves as Bulgarian Muslims.

The media reported that a draft report prepared by the National Council on Ethnic and Demographic Issues (NCEDI) on the 1999 Framework Agreement and intended for the European Union Parliamentary Assembly stated that it was wrong not to recognize Macedonian and Pomak minorities. The report also stated that Article 14 of the Constitution, which forbids the creation of ethnic, racial, and religious parties, was discriminatory and limiting. The leader of the nationalist Internal Macedonian Revolutionary Organization expressed alarm at alleged plans by the Government to recognize the existence of Macedonian and Pomak minorities. The chief of the NCEDI later denied that the report included any such suggestion.

There were no restrictions on the use of non-Slavic names; however, both ethnic Turks and Bulgarian Muslims complained that the procedures for restoring their original names (after they had been forced to adopt Slavic names during the 1970s and 1980s) were excessively burdensome and difficult to accomplish.

Several thousand persons, mainly in the southwest, identified themselves as ethnic Macedonians, most for historical and geographic reasons. Members of the two organizations that purported to defend their interests, OMO-Ilinden and TMO-Ilinden, were believed to number in the hundreds (see Section 2.b.). The Government did not recognize Macedonians as a distinct ethnic group, and the group was not enumerated in official government census statistics.

## Section 6 Worker Rights

### a. The Right of Association

The Constitution provides for the right of all workers to form or join trade unions of their choice, and workers exercised this right.

Estimates of the unionized share of the work force ranged from 30 to 50 percent, but this share continued to decrease as large firms laid off workers, and most new positions appeared in small, nonunionized businesses. The two largest trade union confederations were the Confederation of Independent Trade Unions of Bulgaria (CITUB) and Podkrepa, which together represented the overwhelming majority of organized workers. Trade unions were required to demonstrate their membership strength through a periodic census of their members; however, employer representative organizations were not similarly required to disclose who they represented in the trilateral process.

Doctors and dentists expressed dissatisfaction with their government-imposed union structure. The trade unions alleged that this organization was not truly a labor representative organization but simply a government-mandated fee collection agency. They also believed that it impeded the opportunity for a genuine trade union to represent medical professionals.

The Labor Code's prohibitions against antiunion discrimination include a 6-month period for redress against dismissal as a form of retribution. However, there was no mechanism other than the courts for resolving complaints, and the burden of proof in such a case rested entirely on the employee. In several instances in the past, an employer was found guilty of antiunion discrimination, but the employers appealed the decisions. The backlog of cases in the legal system delayed further action, effectively postponing, perhaps indefinitely, redress of workers' grievances.

The labor movement remained concerned about the widespread use of temporary contracts to evade provisions for worker protections for permanent staff. Many workers, who effectively were permanent staff, were hired under short-term contracts that were renewed at the end of each month or each quarter. When an employer decided to fire someone, the employer could do so legally by simply not renewing the person's contract, rather than initiating a severance action that could entail payment of benefits.

There were no restrictions limiting affiliation or contact with international labor organizations, and unions actively exercised this right.

### b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining, which was practiced nationally, regionally, and on the local level; however, labor unions complained that while the legal structure for collective bargaining was adequate, many employers failed to bargain in good faith or to adhere to agreements that were concluded. Labor observers also viewed the Government's enforcement of labor contracts as inadequate. The legal prohibition against striking for key public sector employees weakened their bargaining position; however, in the past, these groups were able to influence negotiations by staging protests and work slowdowns, and engaging in other pressure tactics without going on strike (see Section 6.a.).

The Labor Code provides for the right to strike when other means of conflict resolution have been exhausted; however, political strikes were forbidden, and workers in essential services (primarily the military and the police) were subject to a blanket prohibition against striking. Such workers on occasion held effective strikes in which they stopped or slowed their activities for 1 or 2 hours. The CITUB confederation argued that the number of workers classified as essential and ineligible to strike was excessive and unfairly restricted the right of many civil servants to exercise their worker rights.

The obligation to bargain collectively and adhere to labor standards applied to the country's six export processing zones, and unions could organize workers in these areas.

### c. Prohibition of Forced or Bonded Labor

The Constitution prohibits forced and bonded labor, including by children; however, there were reports that such practices occurred (see Section 6.d.).

#### d. Status of Child Labor Practices and Minimum Age for Employment

The Labor Code sets the minimum age for employment at 16 years; the minimum age for dangerous work is 18. Employers and the Ministry of Labor and Social Policy (MLSP) were responsible for enforcing these provisions. Child labor laws generally were enforced well in the formal sector, but NGOs believed that children increasingly were exploited in certain industries (especially small family-owned shops, textile factories, restaurants, family farms, construction, and periodical sales) and by organized crime (notably for prostitution and distribution of narcotics), where they often faced illegal conditions.

There were no official statistics on child labor. An International Labor Organization (ILO)-commissioned report, *Problems of Child Labor in the Conditions of Transition in Bulgaria*, published the results of a study conducted during 2000, which found that 6.4 percent of children between the ages of 5 and 17, or approximately 80,000 children, were involved in paid employment in the informal sector. Of these children, 55 percent were between the ages of 15 and 17, while 45 percent were under 15. The study estimated that 32.3 percent of children between the ages of 5 and 17 worked on family farms, while 41.8 percent worked at home. Only 14 percent of children did not work. The study estimated that 8.3 percent of children performed heavy physical labor while 4.2 percent performed activities hazardous to their health such as plowing, bailing hay, caring for livestock, stringing tobacco and working excessive hours. Ethnic Turkish children were particularly at risk of having to perform heavy physical or hazardous labor on family-owned tobacco farms. The study estimated that 0.8 percent of children, or approximately 10,000, practiced begging.

Children's workdays often exceeded the 7-hour maximum set by the Labor Code, and sometimes children did not receive overtime pay for hours worked. Underage employment in the informal and agricultural sectors was believed to be increasing because of the breakup of collective farms and the growing private sector. Local NGOs reported that children worked on non-family-owned farms for meager monetary or in-kind wages (e.g., food). NGO observers also reported that institutionalized children often hired themselves out for agricultural labor for a modest income during periods when they were allowed out of residential facilities.

In 2000 the country ratified ILO Convention 182 on the Worst Forms of Child Labor; however, the National Assembly has not adopted implementing legislation.

#### e. Acceptable Conditions of Work

In 2001 the Government increased the monthly minimum wage from approximately \$43 (85 leva) to \$50 (100 leva). The average industrial wage was approximately \$123 (246 leva). Nonpayment of wages and wage payments in arrears was a growing problem with certain employers, including state enterprises. The CITUB labor confederation estimated that there was an overall backlog of \$50 million (100 million leva) in unpaid wages owed to public sector workers and workers in enterprises which were wholly or partly state-owned. The Constitution stipulates the right to social security and welfare aid assistance for the temporarily unemployed, although in practice such assistance often was late.

The Labor Code provides for a standard workweek of 40 hours with at least one 24-hour rest period per week. The MLSP was responsible for enforcing both the minimum wage and the standard workweek. Enforcement generally was effective in the state sector (aside from dealing with wage arrears) but was weaker in the private sector.

There was a national labor safety program, with standards established by the Labor Code. The Constitution states that employees are entitled to healthy and nonhazardous working conditions, and the MLSP was responsible for enforcing these provisions. However, conditions in many cases continued to worsen due to budget constraints and the growth of a private sector that labor inspectors did not supervise effectively. Protective clothing often was absent from hazardous areas (for example, goggles for welders and helmets for construction workers). The pervasive economic crisis and imminent, long-overdue privatizations contributed to a heightened fear of unemployment, leading to reluctance on the part of workers to pursue wage and safety demands. The law requires joint employer and labor health and safety committees to monitor workplace conditions; however, implementation was slow and these committees remained in developmental stages at year's end.

Under the Labor Code, employees have the right to remove themselves from work situations that present a serious or immediate danger to life or health without jeopardy to their continued employment. However, in practice, refusal to work in situations with relatively high accident rates or associated chronic health problems resulted in the loss of employment for many workers.

#### f. Trafficking in Persons

In October the National Assembly amended the penal code to make trafficking in persons a criminal offense; however, trafficking in women and girls was a serious problem, and the country remained a source, transit country, and destination for trafficked persons. There was no evidence of a pattern of official complicity in trafficking, although a number of law enforcement officers and other government authorities were involved in trafficking.

The punishment for trafficking in persons may include 1 to 8 years in prison and fines up to \$4,000 (8,000 leva). If aggravated circumstances exist--e.g., a minor or kidnaping was involved--penalties increase to 2 to 10 years in imprisonment and fines of up to \$5,000 (10,000 leva). A variety of additional laws could be used to prosecute persons for activities often associated with trafficking. Inducement to prostitution is punishable by up to 3 years' imprisonment, and the penalty rises to 10 to 20 years if the crime was performed by or through an organized crime group, if the victim was a minor under age 18 or legally incompetent, if two or more persons were induced into prostitution, or if the offense was repeated. Law enforcement officials complained that because the minimum penalty was less than 5 years' imprisonment, they were not permitted to use special investigative techniques, such as wiretapping, to deal with traffickers.

The Government investigated cases of trafficking; however, no suspected traffickers were brought to trial during the year, possibly because victims were afraid to confront their former criminal controllers in the absence of government-sponsored programs to assist or protect victims of trafficking. Some judges and prosecutors also reported that they feared reprisals from organized crime figures. There were two police units that specifically addressed the problem of trafficking in persons. One was part of the National Border Police and the other was in the Ministry of Interior's organized crime fighting agency, the National Service for Combating Organized Crime (NSBOP). In 2001 an interagency trafficking task force was established including the National Border Police and the NSBOP. During the year, it executed 65 search warrants, arrested 40 persons, and freed approximately 200 women and girls. Of these, an estimated 10 to 15 percent were victims of forced prostitution. The remainder appeared to have some awareness of their prospective work or their employers' intentions and methods. Approximately 60 to 65 percent of the women freed were citizens of the country.

Victims overwhelmingly were women and girls trafficked for the purposes of prostitution. Government authorities and NGO observers reported that thousands of Bulgarian women, as well as women from Romania, Moldova, Russia, Ukraine, Armenia, Azerbaijan, and Georgia, were trafficked for sexual exploitation to Macedonia, Greece, Turkey, Yugoslavia (including Kosovo), Bosnia, Italy, Poland, and Western Europe. La Strada, a Netherlands-based NGO, reported that Bulgarian women constituted one of the largest groups of victims of forced prostitution in Western and Central Europe. According to NGO sources, as many as 10,000 Bulgarian women, many from the Romani community or under the age of 18, could be involved in international trafficking operations. A 2001 report from the ILO's International Program on the Elimination of Child Labor estimated the number of child prostitutes at 3,800 based on rough data from police and from skin and venereal disease clinics. There were no official statistics; however, law enforcement authorities believed that the number was approximately 3,500. The AAF reported that from January to June it assisted 53 female victims of trafficking, of whom 11 were adolescents. The Romani community, with limited economic opportunity, was disproportionately represented. The bulk of clients were assisted by an AAF help line (see Section 5).

Girls and young women often were approached by persons who gained their trust, frequently other young women and acquaintances or persons introduced by mutual friends, who described glamorous work opportunities abroad. Some were sold into bondage to traffickers by relatives. Victims of trafficking ranged from those who were deceived into believing that they would have good and respectable employment to those who expected to work as prostitutes but were unprepared for the degree of violence and exploitation to which they would be subjected. Unaccompanied young women trying to cross the border into Macedonia, Romania, or Turkey reportedly could be at some risk of being abducted into trafficking. There were reports of women or girls who were denied access into Turkey for lack of a visa or means to pay for one being befriended by traffickers or abducted by taxi drivers at the border and sold to traffickers. Organized crime groups were responsible for human trafficking, although they could use various front companies to pose as employment agencies or tour operators.

The process of transforming girls into prostitutes generally took place before they left the country. The women typically were taken to a large town, isolated, beaten, and subjected to severe physical and psychological torture. Some trafficking victims from countries to the east were kept in the country for several weeks where they were subjected to psychological and physical abuse to make them more submissive before they were transported to their destination points. Once the women left the country, their identity documents were taken away, and they found themselves forced to work as prostitutes in cities across Europe. Victims routinely reported that traffickers took away their passports and visas and forced them to stay illegally in countries. The women were required to pay back heavy financial debts to the agency that helped them depart the country, leaving them in virtual indentured servitude. Traffickers punished women severely for acts of disobedience and threatened the women's families and family reputations to ensure obedience.

It was widely believed that some law enforcement officers or other government authorities were complicit in human trafficking, including local authorities, border police officers, and customs officials. The bulk of involvement appeared to consist of accepting bribes to look the other way, although some officers could have been more involved. Those involved in facilitating trafficking overwhelmingly were low-level, low-paid officials in the provinces and border regions. While in principle the Government took the problem of trafficking seriously, in practice it used ineffective methods and had a weak record in investigating and prosecuting corruption or misconduct in the police (see Section 1.c.).

The Government did not have a witness protection program, and witnesses often feared retaliation if they testified. The Government had a provision for victims to provide an anonymous sworn deposition to be used in court, but an anonymous deposition was required to be corroborated to obtain a conviction. Victims generally were not jailed, although they could be detained for brief periods for questioning until referred to an NGO for assistance and repatriation. Victims who were not in legal immigration status and who did not accept voluntary NGO-assisted repatriation were deported.

The Government did not assist victims of trafficking who returned to the country, and there were few social benefits for such victims. Many victims of trafficking and forced prostitution were too young to have worked previously, which disqualified them from receiving social security assistance. If victims were runaways with no registered address, they were ineligible for humanitarian assistance. Many victims also largely were ineligible for government assistance programs, most of which were in some way tied to previous employment status. The International Organization for Migration (IOM) assisted victims in meeting short-term needs and arranged for repatriation to the victim's home country.

Prevailing public attitudes often stigmatized victims, although there were some signs that this could be changing slowly. The AAF operated a 24-hour hot line for women in crisis, including victims of trafficking, with trained volunteers as well as professional therapists to counsel victims. The hot line also provided volunteers to assist victims in obtaining other necessary services including medical exams and treatment, reissued identity documents, and information on housing and employment opportunities. The AAF also operated a short-term emergency shelter for women and children who were victims of violence.

The Government did not operate any trafficking prevention programs. The IOM continued its trafficking awareness campaign that began in 2000. However, during the year, the IOM stated that the Ministry of Education did not cooperate fully in its effort to institutionalize awareness programs for teenagers in classrooms.